

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:09-00241

DOUGLAS MILLS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On December 11, 2017, the United States of America appeared by W. Clinton Carte, Assistant United States Attorney, and the defendant, Douglas Mills, appeared in person and by his counsel, L. Thompson Price, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Patrick M. Fidler. The defendant commenced a five-year term of supervised release in this action on January 30, 2015, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on September 13, 2010.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant used and possessed controlled substances as evidenced by a positive urine specimen submitted by him on August 14, 2017, for cocaine and marijuana, the defendant having admitted to the probation officer that he used both substances approximately two days prior; and his admission on November 8, 2017, that he had smoked marijuana the previous day and that he had been using "a couple of blunts" daily; (2) the defendant failed to submit monthly written supervision reports during the months of April, May, June, July and September, 2017; (3) the defendant failed to report to the probation officer as instructed on June 14, July 18, August 7, 14 and 31, 2017, and the first Tuesday of September and October, 2017; and failed to report by telephone as instructed on July 20 and October 11, 2017; and (4) the defendant failed to report for urine screens as instructed on August 31, September 14 and 28, and October 12 and 26, 2017; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release and amendment thereto.

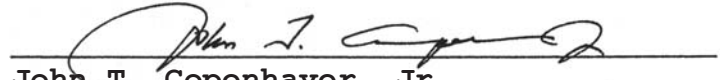
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FOUR (4) MONTHS, to be followed by a term of one (1) year of supervised release upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B) and the standard conditions as set forth in Local Rule 32.3.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: December 15, 2017


John T. Copenhaver, Jr.
United States District Judge